

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

CIVIL APPLICATION NO. 458 OF 2006
IN
WRIT PETITION NO. 8688 OF 2005

Office Notes, Office Memoranda
of of Coram, appearances, Court's
orders and Registrar's orders : Court's or Judge's orders

Mr. A.A. Kocharekar for the applicants.

Mr. R.A. Thorat for the respondents.

CORAM: P.V. KAKADE, J.

DATED: 1ST MARCH, 2006

P.C.:

1. Heard both sides.

2. This is an application for vacating the order of stay passed by this Court dated 15th Dec., 2005 and also for restraintment of third party parting with the possession of the suit premises and for expeditious hearing of the petition.

3. In the course of hearing, the learned counsel for the applicant does not press prayer clause (a) i.e. vacation of the stay order dated 15th Dec., 2005 and, therefore, prayers with regard to the expeditious hearing and restraintment order remain, for

which the learned counsel for the respondent has no objection.

4. Taking into account the contents of the application and nature of the dispute, I am satisfied that hearing of the petition is required to be expedited. In view of this aspect, the application is made absolute in terms of prayer clauses (b) & (c).

The matter to be put up for hearing in the last week of March, 2006.

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